



John L. Salomone
Town Manager

TOWN OF NEWINGTON

131 CEDAR STREET
NEWINGTON, CONNECTICUT 06111

MAYOR JEFF WRIGHT

MINUTES

NEWINGTON TOWN COUNCIL MEETING

APRIL 8, 2008

Mayor Wright called the meeting to order at 7:00 PM in the Helen Nelson Room of the Newington Town Hall.

I PLEDGE OF ALLEGIANCE

II ROLL CALL

Councilors Present:

Councilor Banach
Councilor Boni
Councilor Bottalico
Councilor Bowen
Councilor Cohen
Councilor Lenares
Councilor Nagel
Councilor Nasinnyk
Mayor Wright

Staff Present:

John L. Salomone, Town Manager
Lori Verreault, Executive Assistant
Ann Harter, Finance Director
Lisa Rydecki, Deputy Finance Director
Marian Amodeo, Library Director
Lisa Masten, Assistant Library Director
Richard Mulhall, Police Chief

III AWARDS/PROCLAMATIONS

A National Volunteer Week

Mayor Wright called Paul Hutcheon, Director of the Central Connecticut Health District forward and read the proclamation:

WHEREAS, the entire community can effect positive change with any volunteer action no matter how big or small; and

WHEREAS, volunteers can connect with local community service opportunities through hundreds of community service organizations like the Central Connecticut Health District; and

WHEREAS, millions of volunteers working in their communities utilize their time and talent daily to make a real difference in the lives of children, adults and the elderly; and

WHEREAS, during this week, all over the nation, service projects will be performed and volunteers recognized for their commitment to service; and

WHEREAS, the giving of oneself in service to another empowers the giver and the recipient; and

WHEREAS, experience teaches us that government by itself cannot solve all of our nation's social problems; and

WHEREAS, our country's volunteer force of over 64 million people is a great treasure; and

WHEREAS, volunteers are vital to our future as a caring and productive nation;

NOW, THEREFORE, BE IT RESOLVED, that the Newington Town Council hereby proclaims April 27 – May 3, 2008 as NATIONAL VOLUNTEER WEEK in Newington and urges our fellow citizens to volunteer and “light the way” in their communities. By volunteering and recognizing those who serve, we can replace disconnection with understanding and compassion.

Mayor Wright thanked all of the volunteers in Town on behalf of the Council. He stated that government cannot take care of all problems; it takes hard work from volunteers to get things done.

Mr. Hutcheon stated that the Central Connecticut Health District is very fortunate to have many volunteers to help with its programs and services. He listed examples of programs that rely on volunteer work by both medical personnel and laypeople such as immunization clinics, public health emergency programs and screening clinics. Mr. Hutcheon thanked all of the volunteers for their efforts and announced an upcoming volunteer fair and reception on Tuesday, April 29th from 5:00pm – 7:00pm at the Wethersfield Community Center. He stated that the volunteer fair is open to the public and will provide opportunities for volunteering, showcase some of the work of the volunteers, and recognize volunteers for their efforts.

Motion seconded by Councilor Cohen. Motion passed 9-0.

B Frank Sanzo, Superintendent of Highways – Retirement

Deputy Mayor Lenares called Mr. Sanzo, Superintendent of Highways, forward and read the proclamation:

WHEREAS, Frank Sanzo received a Master Mechanic certificate from the United Technical Trade School in Springfield, Massachusetts, and

WHEREAS, after working in the private sector for several years Mr. Sanzo was hired by the Town of Newington as an Equipment Mechanic I in 1978; and

WHEREAS, Frank was promoted to Equipment Mechanic II in 1981 and to Mechanic Foreperson in 1996; and

WHEREAS, in April 2001 Frank was promoted to the position of Assistant Superintendent of Highways prior to being named Superintendent of Highways, effective January 1, 2002 upon the retirement of the incumbent; and

WHEREAS, Frank completed the Connecticut Road Master and Road Scholar Programs at the University of Connecticut and is a member of the Connecticut Highway Street Superintendents Association; and

WHEREAS, Mr. Sanzo's technical abilities, willingness to learn and take on increased responsibility, and his supervisory skills made him an excellent employee of the Town of Newington for over 30 years; and

WHEREAS, customer service was always a high priority for Frank, having received a number of letters of appreciation from residents for his efforts on their behalf; and

WHEREAS, Frank will be retiring from Town service on May 1, 2008 to take a position with the State of Connecticut Department of Administrative Services;

NOW, THEREFORE, BE IT RESOLVED, that the Newington Town Council hereby extends congratulations to Frank Sanzo on his retirement, thanks him for his 30 years of service to the Town of Newington and its residents, and wishes him and his family well in the future.

Deputy Mayor Lenares stated that he has known Mr. Sanzo for years, congratulated him on his retirement and on thirty years of service to the Town and wished him the best luck in the future.

Mr. Sanzo replied that it has been a pleasure to work with everyone over the past thirty years. He stated that there have been ups and downs over the years but all in all it has been great. He stated that the taxpayers get a great value for their dollar in Town, specifically with the Highway Department. He stated that he will miss working with the Town, his team members and current and former Mayors and Councilors. He thanked former Town Manager Keith Chapman for believing in him thirty years ago.

Councilor Bottalico congratulated Mr. Sanzo and his team on all of their hard work over the years, specifically at the Little League fields and stated that Mr. Sanzo will be missed and wished him luck. Councilor Bowen noted the great quality of snow removal in Newington, especially compared to surrounding towns. He stated that such is a great testament to Mr. Sanzo and the Highway Department. He stated that Mr. Sanzo will be missed and wished him the best. Mayor Wright thanked Mr. Sanzo for his hard work and leadership. He stated that he appreciates Mr. Sanzo's services and asked him not to forget about Newington.

Public Comment:

Rodney Mortensen, 53 Meadowview Court: Former Mayor Mortensen congratulated Mr. Sanzo on being a perfect success story of an employee coming on thirty years ago as a mechanic and working his way up to Superintendent. He stated that Newington has a great history of moving employees along and it has a great group of employees of which Mr. Sanzo is one of the greatest. He wished Mr. Sanzo well.

Motion seconded by Councilor Nagel. Motion passed 9-0.

Councilor Nagel moved to waive the rules to add agenda item III-C, World Autism Awareness Day. Motion seconded by Councilor Boni. Motion passed 9-0.

C World Autism Awareness Day

Mayor Wright called Meg Casasanta, Board of Education member and Autism Society member, forward and read the proclamation:

WHEREAS, autism affects all persons regardless of race, religion, socio-economic status or geography; and

WHEREAS, the incidence of autism in the United States is 1 in 150 and 1 in 94 boys, with a child diagnosed with autism every 20 minutes; and

WHEREAS, based on data collected from North America, Western Europe and Japan, it is conservatively estimated that 35 million people worldwide have autism; and

WHEREAS, on December 18, 2007 the United Nations General Assembly adopted resolution 62-139 World Autism Awareness Day by unanimous consent, encouraging UN Member States to take measure to raise awareness about autism throughout society and to promote early diagnosis and early behavioral intervention; and

WHEREAS, the resolution designates World Autism Awareness Day as a United Nations Day to be observed every year starting in 2008 to raise global awareness of autism; and

WHEREAS, the aims for World Autism Awareness Day are to inform the general public about the global health crisis of autism, stress the importance of early diagnosis and early intervention, and to celebrate the unique talents and qualities of individuals with autism; and

WHEREAS, autism is a lifelong condition in which the bulk of cost falls in adulthood, creating an enormous economic impact; and

WHEREAS, the consequent development challenges of autism threaten to undermine the achievement of the United Nation's Millennium Development Goals and other internationally agreed upon development goals;
NOW, THEREFORE, BE IT RESOLVED, that the Newington Town Council hereby implements the ideals of World Autism Awareness Day in the United States on April 2nd in perpetuity until the cure for autism is found.

Mayor Wright thanked Mrs. Casasanta for her efforts and for reaching out against autism.

Mrs. Casasanta thanked the Council and the Mayor for recognizing that autism not only affects people nationally but also people in Newington as well, noting that she is affected personally with her five year old niece who has been diagnosed with Pervasive Developmental Disorder and is now thankfully doing very well. Mrs. Casasanta stated that early intervention, diagnosis and treatment are keys to allow these children to live a successful life. She stated that it is an issue to be addressed by the Board of Education and the Town in general and stated that she is very proud to be a part of this community that supports others.

Motion seconded by Councilor Cohen. Motion passed 9-0.

IV PUBLIC PARTICIPATION – IN GENERAL

Maureen Klett, 104 Harold Drive: Mrs. Klett stated that the cost of CCM membership is a small price to pay for access to valuable information that will benefit the people of Newington. She stated that one of the things she found most promising is CCM's effort to enact legislation to rebuild Connecticut by increasing infrastructure investments in such areas as town road aid grants and STEAP (Small Town Economic Assistance Program). She stated that Newington has already been the recipient of these grants many times in the past as previous Councils have applied for and received funds from STEAP. Mrs. Klett stated that these funds can be used to improve the Town's center, something that the Council should be interested in. She stated that they also are looking at legislation for property tax relief for elderly homeowners and expanding the number of residents eligible for the elderly and disabled circuit breaker program, all programs that will benefit Newington's seniors. Mrs. Klett stated that she hopes the Council will reconsider its cut of the CCM fees. Mrs. Klett stated that she had been quoted by a local newspaper as saying that she had requested that the Council restore the cut of \$200,000 back to the Board of Education's budget. She noted that the statement is inaccurate and clarified that she had actually requested that the Town restore some of the money to the Board's budget, as she understands that the Board of Education should be required to share some of the burden of the budget cuts. She stated that her most important concern is with the CCM's January 17, 2008 public policy report that indicates that education costs are responsible for an average of 66.80% of municipal budgets, but Newington's percentage is projected to be below that average, coming in at 66.59%. She stated that the Mayor has touted the increase in the Capital Improvements but stated that CIP projects are those costly projects that have to be addressed one way or the other: through the budget or through referendum. She quoted the Mayor that the Board's budget cut is due to cutting out bus purchases, but commented that the Council does not make that decision and also inquired about the safety aspect of not purchasing the busses and asked the Council to take the safety concerns of the aging bus fleet and ultimately the safety concerns of the children traveling on those busses into consideration. Mrs. Klett quoted renowned consultant and speaker Marcus Buckingham: "Make tomorrow a different day from today; make tomorrow a stronger day than today." Mrs. Klett commented that she hopes the Council will make tomorrow a different day from today for Newington; make tomorrow a stronger day than today for Newington.

V CONSIDERATION OF OLD BUSINESS

A Adoption of Operating Budget for Fiscal Year 2008-09

Deputy Mayor Lenares moved the following:

RESOLVED:

That the following General Fund appropriations of the Town of Newington are hereby adopted for the fiscal year beginning July 1, 2008 and ending June 30, 2009, in accordance with Section 805 of the Charter of the Town of Newington:

APPROPRIATIONS:

Town Government Operations:		
General Government	\$4,323,549	
Public Safety	7,153,451	
Public Works	5,056,907	
Community Develop. & Improvement	542,594	
Public Health	121,760	
Community Services	1,017,627	
Public Library	1,671,878	
Parks & Recreation	1,692,389	
Insurance - Miscellaneous	6,553,957	28,134,112
Debt Service		2,524,053
Metropolitan District		2,818,600
Capital Improvements		3,366,500
Equipment Reserve		522,185
Employee Leave Liability Reserve Fund		84,100
Board Of Education		55,872,142
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TOTAL APPROPRIATIONS		\$93,321,692

BE IT FURTHER RESOLVED:

That, in accordance with Section 805 of the Charter of the Town of Newington, the following General Fund estimated revenues be raised to meet these appropriations:

ESTIMATED REVENUES:

Current Taxes	\$70,897,801	
Prorated Taxes	660,000	
Prior Years Taxes	375,000	
Interest & Liens	250,000	
Payments in Lieu of Taxes	2,785,839	
Licenses & Permits	385,700	
Rentals	136,700	
Investment Income	900,000	
Fines	47,000	
Charges for Services	505,750	
Refunds & Reimbursements	18,000	
Sale of Town Property	1,900	
State Aid	14,028,925	
Federal Aid	24,156	
Miscellaneous	13,500	
Donations	7,400	
Transfers from Other Funds	284,021	91,321,692
General Fund Balance Applied		2,000,000
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TOTAL ESTIMATED REVENUES AND APPLIED FUND BALANCE		\$93,321,692

BE IT FURTHER RESOLVED:

That the Clerk is hereby instructed to place the accompanying General Fund Budget Summary on the record of this meeting to illustrate the above appropriations and revenue estimates.

BE IT FURTHER RESOLVED:

That the following budget is hereby adopted for the Public School Capital Improvement Projects Reserve Fund for the fiscal year beginning July 1, 2008 to June 30, 2009:

APPROPRIATIONS:

Painting	\$40,000
Carpeting	35,000
District wide Security Devices	35,000
District wide Furniture Replacement	30,000
System-wide Air Conditioning Installation	50,000
Athletic Improvements	50,000
Alumni Road Parking Lot	60,000
High School Stage Curtains	30,000
High School Gym Bleachers	25,000
High School Lab 107 Renovation	40,000
TOTAL APPROPRIATIONS	\$395,000

ESTIMATED REVENUES:

General Fund Appropriations	\$125,000
Interest Earnings	6,100
Tuition Receipts	45,000
School Rental Receipts	<u>60,000</u>
TOTAL ESTIMATED REVENUES	\$ 236,100

Motion seconded by Councilor Cohen. Motion passed 9-0.

B Adoption of Long-Range Capital Improvement Plan 2008-09 through 2012-13

Deputy Mayor Lenares moved the following:

RESOLVED:

The Newington Town Council hereby adopts the "Town of Newington Long-Range Capital Improvement Plan 2008-2009 through 2012-2013," a final copy of which will be on file in the Town Clerk's Office.

NOTE: This vote is binding only for the funds committed for fiscal year 2008-2009 (attached); the proposed funding for 2009-2010 through 2012-2013 is for planning purposes only and is subject to change through future budget deliberations.

Motion seconded by Councilor Bottalico. Motion passed 9-0.

C Set Mill Rate

Deputy Mayor Lenares moved the following:

RESOLVED:

In accordance with Section 805 of the Town Charter of the Town of Newington, the Town Council hereby fixes a tax rate of 27.68 mills for the fiscal year beginning July 1, 2008 and ending June 30, 2009, which shall be levied on taxable property in the Town of Newington listed on the October 1, 2007 Grand List, and said tax shall become due and payable in accordance with Section 2.1 of the Newington Code of Ordinances. The Town Manager is hereby authorized to make out and sign the rate bill in accordance with this motion.

Motion seconded by Councilor Bottalico. Motion passed 9-0.

D Fair Housing Policy

Councilor Nagel moved the following:

WHEREAS, all American citizens are afforded a right to full and equal housing opportunities in the neighborhood of their choice; and

WHEREAS, State and Federal Fair Housing laws require that all individuals, regardless of race, color, religion, sex, national origin, ancestry, marital status, age, mental or physical disability, lawful source of income, sexual orientation, or familial status, be given equal access to rental and homeownership opportunities and be allowed to make free choices regarding housing location; and

WHEREAS, the Town of Newington is committed to upholding these laws and realizes that these laws must be supplemented by an Affirmative Statement publicly endorsing the right of all people to full and equal housing opportunities in the neighborhood of their choice;

NOW, THEREFORE, BE IT RESOLVED, that the Newington Town Council hereby endorses a Fair Housing Policy to ensure equal opportunity for all persons to rent, purchase and obtain financing for adequate housing of their choice on a non-discriminatory basis; and

BE IT FURTHER RESOLVED, that the Town Planner of the Town of Newington or his/her designated representative is responsible for responding to and assisting any person who alleges to be the victim of any illegal discriminatory housing practices in the Town of Newington.

Motion seconded by Councilor Bottalico. Motion passed 9-0.

E Tax Abatement – 22 Mill Street Property

Mayor Wright invited members of the Library Board of Directors to the table to discuss the requested tax abatement of the 22 Mill Street property. Library Board members Maureen Lyons, President; Marie Dowling, Dennis Doyle, Paul Crosswaith, Trudie Walker, Diane Stamm, Judy Igielski, Iris Larsson, Eric Rothausen, and Sue Wright came to the table along with Library Director Marian Amodeo and Assistant Library Director Lisa Masten. Mayor Wright thanked the Board members for their time and noted that the Library is one of the Town's best assets.

Ms. Lyons stated that the Board members have done some research about the abatement request and turned the discussion over to Mr. Rothausen, member of the Board and attorney, for further explanation. Mr. Rothausen stated that he had looked into the Statutes to try to bring about information that will address the Council's questions. Mr. Rothausen stated that the issue came about as a result of a tax bill for a property purchased by the non-profit Lucy Robbins Wells Library, Inc. on December 11, 2007. He stated that the Library Board received the January 1, 2008 tax bill after the purchase and at that time there were discussions with the Town Assessor regarding the abatement of that tax bill based on certain beliefs regarding the tax-exempt status of charitable organizations that buy real estate. He noted a Connecticut Supreme Court decision on this exact issue and noted that the Board's position has been answered by the Supreme Court as of 2003. He stated that the issue is with two different tax lists: the 2006-2007 tax list, in which the January 2008 payment was for the second half of the 2006-2007 list, and that the Supreme Court's decision basically states that the Board is responsible for that January 1, 2008 tax bill. He stated that as a result of the purchase in December 2007, pursuant to a Connecticut State Statute the Board's exemption does not occur until the next assessment date, which would occur on October 1, 2008. He stated that this means that the Board will be responsible for the January 1, 2008 tax bill and it is potentially liable for the July 1, 2008 and the January 1, 2009 tax bills as well, the last two payments representing installments on the 2007-2008 tax lists. Mr. Rothausen noted that the Statute 12-81B states that if a municipality does adopt an

ordinance then the Assessor can treat the exemption as of the date of acquisition. He explained that the Board's overall potential tax exposure is about \$6,100 including the second half of the 2006 list and the entire 2007 list and if the ordinance is adopted then the Board's tax exposure would be reduced to about \$2,800. He stated that this will allow the date of exemption to be the date of acquisition for any tax-exempt organization that acquires real estate. He stated that the Board requests that the ordinance be adopted so as to provide assistance to the non-profit organization.

Mayor Wright inquired about the purchase price of the property. Mr. Rothauser replied that the purchase price was \$259,250 plus closing costs of about \$2,400 and a property tax reimbursement to the seller of \$220.40 for a total of \$261,872.40. Mayor Wright inquired about the previous purchase of the property next to 22 Mill Street. Mr. Rothauser replied that the Board purchased the property in 2003 and at that time the Board did approach the Council about the purchase of that property but the Town was not interested at that time. He stated that as part of that purchase the Board negotiated the right of first refusal on the property next door (22 Mill Street). The purchase price of the first property in 2003 was about \$235,000. Mayor Wright noted that the Library Board has purchased nearly a half-million dollars worth of property for the public's benefit.

Councilor Bottalico inquired about the closing of the property and whether the Board was aware of any carryover of any taxes at the time of closing. Ms. Lyons stated that they had received a clear title with no liens at the time. Councilor Bottalico asked for clarification as to how much of an abatement the Board is requesting. Mr. Rothauser replied that the tax year is determined as of October 1, and runs from October 1 to September 30 with two installments due, one in July and one in January. He stated that the January 1 payment was the second installment of the 2006 list, but that the Board is concerned about the 2007 list which will be payable on July 1, 2008 and January 1, 2009. He stated that the Board requests that the ordinance will set the date of exemption for the property to be December 11, 2007 which will result in a tax savings to the Board of about \$3,600. Mayor Wright asked if there is a way to do away with the entire tax liability (approximately \$6,100) for this organization as they have spent nearly \$500,000 on these properties. Mr. Rothauser deferred the question to the Town Attorney and again stated that the ordinance would move back the date of exemption from October 1, 2008 to December 11, 2007, the date of acquisition. Town Manager Salomone concurred that an ordinance needs to be effectuated to allow the tax abatement as the Council does not have the authority to grant the abatement without an ordinance. He stated that he would have to take another look into the timing. Councilor Bottalico requested that the discussion be tabled pending opinion from the Town Attorney. Mayor Wright stated that this session is to gather information from the Board before proceeding. Town Manager Salomone stated that the Town Attorney would be consulted prior to drafting the ordinance.

Councilor Bowen asked whether the abatement would apply to tax on the property moving forward. Mr. Rothauser replied in the affirmative. Councilor Bowen stated that the tax would be about \$4,000 per year. Mr. Rothauser replied that it would be about \$4,000 per year on improved property, but noted that the house on the property has been razed and any future assessment would be requested to be on unimproved property. Councilor Bowen asked whether the Board pays taxes on the previous acquisition. Mr. Rothauser replied that the Board does not pay taxes on that property as the Board is recognized as a tax-exempt organization with the Assessor's office. He stated that Board did pay the January 1, 2004 tax in the purchase of the first property in 2003, but no tax has been paid (or billed) since that time. Councilor Bowen asked whether additional taxes should have been paid on the first property. Mr. Rothauser replied in the negative, stating that the purchase occurred only two months prior to the October 1 reassessment; therefore, under the terms of the Statute the property became exempt on October 1 which made the Board responsible for only the second half of the 2002 list. Councilor Bowen asked whether there was an ordinance passed for the 2003 purchase. Mr. Rothauser replied that it would not have been necessary in that situation due to the proximity of the 2003 closing to the October 1 date as opposed to this transaction which implicated another tax year. Councilor Bowen stated that going forward he will need to understand both transactions and requested the opinion of the Town Attorney. He inquired whether an ordinance would result in every non-profit group that buys property in Town automatically receiving the same exemption. Town Manager Salomone stated that such groups would have to apply for exemption. Councilor Bowen asked whether an ordinance would have to be passed for each application. Town Manager Salomone replied that each organization would have to apply to be exempt. Councilor Bowen again requested the opinion of the Town Attorney.

Councilor Cohen noted that under the ordinance other non-profit organizations would have to apply for tax exemption and inquired whether the acceptance of such applications would be automatic. Town Manager

Salomone replied that any entity that is a bona fide tax exempt entity is eligible for tax exemption at a certain point. He stated that the discussion is about when that point occurs and that it can occur at different times depending on when the grand list is finalized as of October 1. He stated that the ordinance would fill in the gap between the date of the property purchase and the next or previous grand list. Councilor Cohen asked if the gap is granted in one instance would the Town be automatically obligated to do so for other entities. Town Manager Salomone replied that he would need to get more information about Councilor Cohen's question.

Councilor Boni inquired as to how the opportunity to purchase the property came about, and asked for the Board's plans for both properties. Ms. Lyons replied that the first property became available for sale a few years ago and being adjacent to the Library it made sense for it to become a piece of the Town's property. She stated that some of the Board members approached Mr. Foley, the previous owner of the properties, and requested that he consider the Library Board when and if he should decide to sell the property. She stated that the first piece of the property became available and Mr. Foley approached the Board to purchase the property. Ms. Lyons noted that the Board came before the Council regarding the purchase of the first property but the Town was not interested. She stated that the Board saw the property as a prime opportunity and negotiated to purchase the property. She stated that at the time of the first purchase the Board negotiated and paid for the right of first refusal for the other property should it become available. She stated that when Mr. Foley passed away his lawyer contacted the Board which opted to purchase the second property. She stated that the Board does not have any specific plans for either property and that the property was purchased for the future of the Library and the Town. She noted a letter sent to the Town Manager on behalf of the Board which stated, in part, "Our eventual expansion will enhance our services to the citizens of Newington and will open the door to exciting growth in all areas. In concert with the Town, we hope to realize an accessible and beautiful campus with state of the art meeting rooms, available to all. Growth of the Library's physical plant will perpetuate our mission to provide information, education, and cultural enrichment for the Newington community through a commitment to excellence in library services. It will also provide much needed practical space for the staff and collection. Please share this good news with the Town Council. We invite you to attend any of our Board meetings if you have questions regarding this issue...and will also be available to meet with you." Ms. Lyons stated that the Board is pleased that the property is available as an enhancement of Town facilities. She stated that it is for everybody, and it is for the Town. She stated that when the time comes needs assessments will be performed and the process will be taken one step at a time. Councilor Banach asked whether the Board envisions any future property purchases such as the house on Cedar Street to the left of the Library. Ms. Lyons replied that it had never been discussed, but anything can happen in the future.

Councilor Bottalico asked about the tax-exempt status of the VFW, American Legion and other such organizations. Town Manager Salomone replied that there are specific provisions under the law and that groups must qualify under State law for tax exemption. He listed several types of property uses that would fall under the tax exempt category and based on that list the organizations listed by Councilor Bottalico may or may not be tax exempt.

Councilor Nasinnyk inquired as to whether the Town Attorney was asked about the topic. Mayor Wright stated that the Town Attorney has received a request for information regarding the topic and that the purpose of this discussion is to gather information from Board members. He stated that the next step is to have the Town Attorney do some research on a number of questions. Councilor Nasinnyk stated that as liaison to the Board along with Councilor Nagel she was aware of the purchase and did receive the letter and reported the purchase to the Council. She stated that the Board was very surprised by the tax bill and that the Council is working towards doing what is legal and appropriate in regards to the abatement. Ms. Lyons stated that the Board was happy to do the research and to get educated on the issue. She thanked the Council for their time on the issue and requested that the Council contact her at any time with any questions. She stated that the Town and the Library operate as equal partners and look forward to future successes. Ms. Dowling stated that she has been on the Board for a number of years and is active with many different library associations. She stated that Newington's Library is second in the State and that many other libraries look to copy Newington's Library in its programs. She stated that the Library is the Town's best form of public relations and that the Town could not afford the Library without what it does with its own funds.

Councilor Cohen stated that the Council was aware that the Board was looking at the property and thanked the Board for having the foresight and the ability to make the purchases. Ms. Igielski stated that when she visits the Library she is always amazed by the number of people there, ranging in age from six months to ninety years old. She stated that the Library offers services to the unemployed, brings in speakers and

authors and offers family programs and programs for special needs families. She stated that the staff is wonderful. She stated that many families cannot afford to purchase books, DVDs or have access to computers and that the staff is very helpful to these families. Ms. Lyons recognized Ms. Amodeo and Ms. Masten for their outstanding work and their partnership with the Board. She again thanked the Council for its time.

Mayor Wright requested that the Town Attorney look into the ordinance for the Library Board and all non-profits. He also requested that the Town Attorney look into the option of eliminating the Board's tax bill all together, totaling about \$6,100, in light of the fact that the Board has spent nearly \$500,000 to purchase property for the benefit and the future of the Town. He thanked the Board for attending and for their hard work.

VI CONSIDERATION OF NEW BUSINESS

A Small Cities Grant Application

Town Manager Salomone stated that the item will be on the agenda for the next meeting to set the Public Hearing for Tuesday, April 29, 2008. He stated that this is the first step in the Small Cities application that would be filed after the public hearing and Council approval. He stated that the application would be filed by the end of May and would be in concert with the proposed new senior housing development site.

(Mayor Wright exited the meeting at 8:12 pm, returning at 8:14pm)

Councilor Cohen asked whether the Council should vote at the present meeting to set the Public Hearing for April 29, 2008. Town Manager Salomone replied that the date is being set administratively by the Town Planner and does not require a vote.

B Update on Graffiti Issues in Town

Town Manager Salomone gave an overview of a report from Chief Mulhall regarding the issue of graffiti in the Town. He stated that there have been 108 instances of graffiti in the past fourteen months. He invited the Chief to come forward to review his report and answer the Council's questions.

Chief Mulhall gave an overview of the report:

- There have been 108 cases of graffiti in the past 14-15 months
- There have been seven arrests, six of which were local Town youth
- 80% of the cases have been considered "tagging" type cases rather than "art" type cases
- A very small percentage of that 80% has involved gang tagging, which is not thought to be local but is thought to be some outside influence and is a matter of the gangs' procedures.
- The seven arrests involve many cases for most of the individuals
- The Police Department works with the Juvenile Review Board as well as the court system with offenders
- There is a zero-tolerance policy against graffiti in Newington
- Some offenders have been apprehended in the act
- All complaints are carefully catalogued and are often tied together with other cases
- The Town works with the courts and the JRB for restitution whenever possible
- It is important that the Town takes an aggressive stance towards cleaning graffiti, as studies indicate that the best way to prevent future graffiti is to remove it within 24-48 hours
- This is an area of activity for the NPD and is of growing concern

Councilor Bottalico inquired about the graffiti containing symbols, and whether it indicates gang activity. Chief Mulhall replied that in some the symbols relate to gang activity and in those cases the NPD catalogues the incident and checks with the intelligence bureaus of the Hartford PD and the New Britain PD to determine if the symbol is related to gang activity. He stated that 95% of the time there is no match to any gang activity.

Councilor Boni inquired about the punishments of those arrested for graffiti. Chief Mulhall stated that most of the offenders are youth and none are serving jail time. He stated that most of the punishment involves restitution and that the NPD also tries to work with the court system and social services to get the offenders

into counseling. Councilor Boni asked whether the punishment serves as a deterrent against repeat offenders. Chief Mulhall replied that the program has had success in deterring repeat offenders. He stated that the worst case scenario occurs when property owners decline to press charges. He stated that 80% of offenders are males between the ages of 12-21.

Councilor Banach asked whether these incidences are more common in any one part of the Town. Chief Mulhall replied that it is concentrated and tends to occur where the kids hang out. He stated that the center of Town has been a concern, as have some abandoned commercial buildings, parks and street signs. Councilor Banach asked whether any of the incidents have involved school buildings. Chief Mulhall replied in the negative.

Councilor Nagel inquired about who is responsible for removing graffiti on private property and also inquired about what kind of chemicals can be used to remove graffiti. Chief Mulhall replied that there are methods to removing graffiti and that a Google search online of graffiti removal will provide a number of informative websites with information on removing graffiti. He stated that homeowners are responsible for removing graffiti from their own property and that the Town does not currently have an ordinance mandating the homeowner to clean the graffiti. He stated that the best the NPD can do is try to identify the offender and to try to get restitution.

Councilor Bottalico noted the graffiti at the National Welding site and noted the extent of the vandalism. Chief Mulhall stated that the graffiti has been there for quite a while and reiterated that the NPD is actively looking at parks and public areas and anyone with specific concerns should contact the NPD. Councilor Bowen stated that the Council is taking steps to address various youth issues in Town and that this issue is serious if there is connection with gangs coming into Town. He stated that cities are cracking down on gangs which squeeze them out of the cities and into the suburbs. He asked whether the Town will need to take a more aggressive stance towards not only gangs but also groups of youth in Town that roam and cause problems. Chief Mulhall stated that the NPD currently documents all incidences of tagging and if it does start to see some gang activity it will make some adjustments in its stance. He stated that the NPD is currently preparing for the summer by planning increased presence in the parks and is considering more advanced surveillance methods. He stated that the NPD is working to stay on top of graffiti and is also working to get some education into the schools regarding vandalism. Councilor Bowen asked whether the Chief is comfortable with the response by the judicial system. Chief Mulhall replied in the affirmative, stating that they receive good support from the courts.

Town Manager Salomone stated that enforcement is the key and that the maintenance area is very important. He stated that it is important to remove graffiti promptly and on a routine basis to help prevent further incidences. Mayor Wright asked whether any area Towns have ordinances that require property owners to remove graffiti within a certain time frame. Town Manager Salomone replied that it is a tricky area because it is private property. He stated that if the property is on the blighted property list the Town can take action. Mayor Wright requested that the Town Manager look into such ordinances. Councilor Bowen stated that the Town should be very careful about such ordinances as the property owners are victims and requiring a cleanup may add insult to injury. He suggested that a better approach may be for the Town to provide some sort of assistance to the property owners. Mayor Wright stated that the Town should explore all opportunities to take an aggressive stance on the issue.

Councilor Banach asked whether it would be possible to impose a monetary fine to offenders with the money going into a cleanup fund to help victims clean up graffiti. He stated that the Town needs to up the ante to make these offenders and their parents realize that there is cost involved. Chief Mulhall stated that the Town can work with the courts on that, but noted that many of the families of the offenders would not have the means to pay such fines; therefore community service is often a better alternative. Councilor Bottalico noted some instances in which the youth offenders were given community service only to have their parents actually complete the community service. Chief Mulhall replied that the courts can only issue the punishment, how it is followed through is a different matter. He stated that the Human Services Department oversees and supervises community service.

Mayor Wright thanked the Chief and the NPD for their attention to the issue.

VII WRITTEN/ORAL COMMUNICATIONS FROM THE TOWN MANAGER, OTHER TOWN AGENCIES AND OFFICIALS, OTHER GOVERNMENTAL AGENCIES AND OFFICIALS AND THE PUBLIC

A Correspondence

- 1 Memo dated March 28, 2008 from Dr. Ernest L. Perlini, Superintendent of Schools, regarding Liability Insurance Included in Board of Education Budget

Mayor Wright outlined a memo from Dr. Perlini regarding liability insurance. Councilor Bottalico inquired about the numbers on the memo, stating that they had already been relayed to the Council. Councilor Bowen also inquired about the purpose of the memo. Councilor Cohen inquired as to whether the memo is in regards to her previous question about insurance on three new vehicles. Town Manager Salomone stated that he had answered some of those questions on a previous memo. Councilor Bottalico suggested that perhaps Dr. Perlini got confused about the Council's request for information on medical and liability insurance.

B Town Manager Reports – none

VIII COUNCIL LIAISON/COMMITTEE REPORTS

Councilor Cohen reported that the reaccreditation process has commenced for the Senior Center. Councilor Bowen commented that the Senior Center is truly a gem of the Town and he is very confident that the Senior Center will be reaccredited. Councilor Nagel noted that there has been discussion about the night-time transportation for the elderly and disabled.

Councilor Nagel reported about the March 26, 2008 CRCOG meeting:

- A representative of Senator Dodd attended to inform the members that Senator Dodd is willing to help with grants having to do with regional projects and structural improvements.
- There is a new non-profit organization, Journey Home, which has been established to help the homeless to find places to live and to provide them with essentials. Journey Home is seeking donations of funds and items, such as furniture, that can be used for this purpose.
- There will be a public meeting on April 10 at 6:00pm at the Hartford Public Library regarding walking and biking in the region.

IX PUBLIC PARTICIPATION – IN GENERAL

Meg Casasanta, 110 Steeplechase Drive, Board of Education member: Mrs. Casasanta read a communication from Dan Carson, Board of Education Chairman:

Mayor and Councilors,

May I, on behalf of the Board of Education, the school administration and the children of Newington thank each of you for your continued support of education here in Newington. We fully recognize and appreciate the responsibility each of you has as it concerns the Town's budget. The Mayor and Council have once again demonstrated a recognition that our public school system must continue to be funded at an appropriate level to ensure continued progress. The budget passed tonight will allow for advances to education in all critical areas. The Board of Education will look to make cuts in areas that minimize impact on our students and curriculum. We appreciate the Mayor and Council's support for the schools' capital improvement requests. I strongly believe this year's CIP for schools is, in my opinion, one of the best packages I've ever seen. Once again, thank you for believing in our children and our outstanding school system.

Sharon Braverman, 39 Churchill Way, Board of Education member: Mrs. Braverman stated that she will bring Dr. Perlini's memo back to the Superintendent to ask for clarification. She also thanked the Council for the budget.

X REMARKS BY COUNCILORS

Councilor Cohen remarked that there surely are people in Town who are not completely happy with the budget. She stated that this has been by far one of the most difficult budgets she has been through, especially with the economy being so bad. Councilor Cohen stated that it is difficult to keep the mill rate low and when there is a bare-bones budget the only place to cut is in the CIP, and that is not a good idea because it is difficult to catch up once you fall behind. Councilor Cohen stated that she was not happy about cutting funds for drainage, sidewalks, additional funds for the Town Hall heating system and CCM, but there must be a compromise and that the Town must make do with what it has to spend. She stated that she

hopes that the public will acknowledge that the Council tried to do a good job and came up with a good product. She stated that some people would have preferred a zero increase, but that is not realistic. She thanked the Mayor, Council and staff for their hard work.

Councilor Cohen noted that the Newington Kiwanis Flea market will open on Sunday, April 20, and invited the public to visit, enjoy the sights and make some exciting purchases.

Deputy Mayor Lenares stated that despite some differences the Council did a good job overall with the budget. He also congratulated the Martin Kellogg Middle School theater group for their recent performance of Beauty and the Beast. He stated that the students put an incredible amount of work into the performance and that they did an excellent job. He recognized Mr. Pilz on an excellent job with the program.

Mayor Wright thanked everyone for the hard work on the budget. He also acknowledged the passing of Russ Correll, a long time volunteer of the Town. Mayor Wright stated that Mr. Correll was a good man, a good volunteer and a good citizen of Town who was instrumental in the Newington Volunteer Ambulance Corps and currently served as Deputy Treasurer and as a TPZ member.

XI EXECUTIVE SESSION RE PERSONNEL, LITIGATION

Councilor Cohen moved to go into Executive Session Re Personnel, Litigation at 8:52pm. Motion seconded by Councilor Nagel. Motion passed 9-0.

All Councilors, Mayor Wright and Town Manager Salomone present at the Executive Session.

Councilor Bowen moved to adjourn from Executive Session at 9:02pm. Motion seconded by Councilor Boni. Motion passed 9-0.

XII ADJOURNMENT

Councilor Boni moved to adjourn the meeting at 9:03pm. Motion seconded by Councilor Nasinnyk. Motion passed 9-0.

Respectfully Submitted,

Mrs. Jaime Trevethan
Clerk of the Council